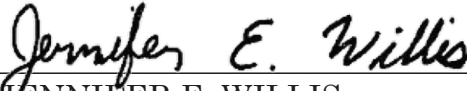


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This request is GRANTED. SO ORDERED.

April 14, 2025

Hon. Jennifer E. Willis
United States District Court
Thurgood Marshall
United States Courthouse
40 Foley Square, Rm. 425
New York, NY 10007



JENNIFER E. WILLIS
United States Magistrate Judge
April 15, 2025

Re: Kintetsu World Express (U.S.A.), Inc.
v. Dialectic Distribution LLC
Docket No.: 1:21-CV-09579 (JHR)(JW)
Our File: 6405

Dear Judge Willis,

We represent the plaintiff, Kintetsu World Express (U.S.A.), Inc. ("KWEUSA"), in this matter. We submit this letter to request a brief extension of time within which to comply with your Order of last Thursday, April 10, ECF Doc. 120. We respectfully request that the filing deadline for the joint report be extended by three business days from this Thursday, April 17, to next Tuesday, April 22 for the following reasons.

Upon receipt of your Order last Thursday, we contacted opposing counsel David Rubenstein by email, sending an initial draft of the report and requesting he provide time(s) today or tomorrow when he could be available for a meet-and-confer concerning the issues to be addressed. Last Friday, in the absence of a response, we sent a further developed draft report and renewed our request that he suggest times for the necessary meet-and-confer. Friday afternoon, opposing counsel responded that he would be on vacation this week but that he could make himself available on Wednesday at 9:00 a.m. We responded within 90 minutes that Wednesday morning would not be possible because the undersigned has a standing physical therapy session at that time for recovery from a total knee replacement. We suggested that any time after 11:00 am on Wednesday would be possible, but have not had a reply.

We also note also that the Passover Holiday continues until sundown on Sunday, April 20.

We can report that there is agreement on a framework for the expert discovery schedule based on the draft report letters we have sent Mr. Rubenstein. There has not yet been any discussion concerning the issues raised in our letter motion, ECF Doc. 98, however. It is our hope that after his vacation and the Passover Holiday have concluded, two business days next week will

Kennedy Lillis Schmidt & English

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Hon. Jennifer E. Willis
United States District Court

provide an opportunity for him to participate in meaningful meet-and-confer to finalize the expert discovery schedule and address ECF Doc. 98.

We take the liberty of submitting this request unilaterally as we do not know whether Mr. Rubenstein is in a position to address this issue and did not wish to wait until the last minute to advise the court of this scheduling difficulty.

If you have any questions or desire any further information, we are at your disposal to respond. In the meantime, we thank the Court for its time and consideration.

Respectfully submitted,

KENNEDY LILLIS SCHMIDT & ENGLISH

By:

Charles E. Schmidt

CES/

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cc: David Rubenstein, Esq
via ECF